

**EXHIBIT 37**

**REDACTED VERSION  
OF DOCUMENT  
SOUGHT TO BE SEALED**

To: [REDACTED]  
From: Ric Jacobs [REDACTED] Case 3:17-cv-00939-WHA Document 2502-5 Filed 01/19/18 Page 2 of 4  
Sent: Thur 4/13/2017 5:50:11 PM  
Subject: Fwd: RO Intel report

----- Forwarded message -----

From: Craig Clark <[craig.clark@uber.com](mailto:craig.clark@uber.com)>  
Date: Thu, Feb 9, 2017 at 8:29 AM  
Subject: Fwd: RO Intel report  
To: <[ric@uber.com](mailto:ric@uber.com)>

I had a long talk with Alberto this morning. I was disheartened by the fact that my legal priv training did not sink in even though this is almost identical to an example I had them all discuss and go through. The report itself and how this could have been handled better is for another discussion.

Craig Clark | Uber | Legal Director, Security  
Mobile: [REDACTED]

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Begin forwarded message:

**From:** Alberto Fittarelli [REDACTED]  
**Date:** February 9, 2017 at 10:14:12 AM EST  
**To:** Craig Clark <[craig.clark@uber.com](mailto:craig.clark@uber.com)>  
**Subject: Re: RO Intel report**

And by that I mean - you *\*are\** right, and I made a mistake :) I'd rather explain what I meant on the other point by voice.

Alberto Fittarelli  
EMEA Security | Strategic Intelligence Lead  
[REDACTED] [uber.com](mailto:[REDACTED]@uber.com)

On Thu, Feb 9, 2017 at 4:05 PM, Alberto Fittarelli [REDACTED] wrote:

Craig, the last thing I want to do is making that a conflict. Wanna have a call?

Alberto Fittarelli  
EMEA Security | Strategic Intelligence Lead  
[REDACTED] [uber.com](mailto:[REDACTED]@uber.com)

On Thu, Feb 9, 2017 at 4:01 PM, Craig Clark <[craig.clark@uber.com](mailto:craig.clark@uber.com)> wrote:

UBER00355965

I don't know what the "other hand" is or what it has to do with making delicate privilege claims even harder due to blind use of macros or carelessness and setting a wrong/bad example for others. If you'd like to discuss specific examples of the "other hand" or misuse of the privilege I'm happy to do so.

Craig Clark | Uber | Legal Director, Security

Mobile: [REDACTED]

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On Feb 9, 2017, at 9:37 AM, Alberto Fittarelli [REDACTED] wrote:

You're right, and I apologize. On the other hand, the root issue of unsafe communication and action from the broader company remains unsolved, and I don't have an easy way to manage that.

Alberto Fittarelli

EMEA Security | Strategic Intelligence Lead

[REDACTED]@uber.com

On Thu, Feb 9, 2017 at 3:33 PM, Craig Clark <[craig.clark@uber.com](mailto:craig.clark@uber.com)> wrote:

This really shows abuse of the ac priv statement like we talked about last week. Is thanking her really for my review and advice? It just proves overuse.

Craig Clark | Uber | Legal Director, Security

Mobile: [REDACTED]

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On Feb 9, 2017, at 9:04 AM, Alberto Fittarelli <[alberto@uber.com](mailto:alberto@uber.com)> wrote:

**Attorney / Client Privileged & Confidential** - Craig, for your review, and legal advice.

Thanks Nicoleta, appreciate it.

Alberto Fittarelli

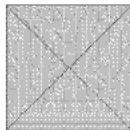
EMEA Security | Strategic Intelligence Lead

[REDACTED]@uber.com

Hi guys,  
Thanks for the call again. See attached the report I mentioned.

Nicoleta

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Nicoleta Schroeder  
General Manager | Romania



uber.com

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Ric Jacobs  
Global Intel Manager



[ric@uber.com](mailto:ric@uber.com) | [uber.com](http://uber.com)